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6. Due to the relief sought by this motion, Defendants did not seek concurrence from Plaintiff's counsel. Local Rule 7.1(c).

WHEREFORE, the Defendants respectfully request that this Honorable Court:

- A. Grant Defendants' Motion for Summary Judgment; and
- B. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

**Steven A. Bolton and  
Celia K. Leonard,**

By their Counsel,

**UPTON & HATFIELD, LLP,**

Date: April 1, 2024

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was this day forwarded to all counsel of record, through the Court's E-filing system.

/s/ Russell F. Hilliard  
Russell F. Hilliard